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**To:** Microsoft ATR  
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**Subject:** Comment on Microsoft Settlement

I've been an IT professional now for almost 22 years. When I first started in this industry, IBM was king and there was constant pressure from other organizations such as DEC, HP, Honeywell and others to innovate to keep up the competition. They serviced niche markets with their innovation and thrived.

Now, the computer industry is more consolidated fewer and fewer companies make the products that we rely upon for all levels of computing whether that be academic, business or home use. Unfortunately Microsoft under the WinTel alliance has forged a very strong position, so strong that it dominates virtually every tier of computing. Yes, Intel makes Chips that go into the systems, however at least there is some competition for Intel, including AMD and Cyrix. Where Windows is concerned, there seems to be one source Microsoft. Great position to be in.

There really isn't an alternative to Desktop O/S for General Purpose use other than Windows. Unfortunately Linux is a very distant third in this regard. Remember Apple? Yes they're still around however they've been hurt not by innovative product competition, but unfair leveraging of technology.

Microsoft has attacked key sectors of threatening technology by either dumping on the market or using the three E's - Embrace, Extend, Erradicate. Java technology has been irreparably damaged by Microsofts dilution and non-standard practices resulting in another Court case. However since Microsoft has extremely deep pockets even for the Federal Government it appears as though attrition has set in.

What Microsoft does to the software industry is akin to an 800lb Gorilla being let into a banana shop. For example, Internet Explorer was a product that took over 600 developers to work on. Microsoft dumped the product for "free" on the marketplace claiming it's innovation was good for consumers. Funny, Internet Explorer isn't available for Unix, or Linux, or Apple just Windows. When two technologies are equal, the one that's free will win. That's a marketing knowledge. When Windows 98 was released IE was bundled with it even though it wasn't critical to the O/S use. Microsoft claimed it added value, however it stifled competition such as Netscape and Opera. Even now Microsoft builds proprietary standards into their web sites requiring the use of their technology to access it, forcing users into their way of thinking and doing.

So, when it comes to desktops and now unfortunately Server environments Microsoft is becoming the dominant force. However their tying of products together gives them an extremely unfair advantage over their competition. A classic problem was when WordPerfect was still around the developers found

bugs in the Windows API. They reported them to Microsoft. Microsoft then announced to the world that WordPerfect was buggy on Windows. Likewise Microsoft dumped MSOffice for incredibly low prices, so low that WordPerfect couldn't compete. Again deep pockets allowed Microsoft to eat profitability to force out the competitors product. Once the other Product is severely damaged, it's time to raise the prices because now they have a vendor lock in.

Microsoft should be allowed to innovate, any company should. But it should be precluded wholly from predatory market practices that stifle small business and even competitors practices. Yes Business is brutal but being able to tie products forces customers to buy your solution wholly and forego any of the competitors product.

So, my question after Microsoft dominates the entire software middle structure who can compete with them?

My recommendation would be that all Microsoft Windows APIs be fully documented and available to all software houses.

Microsoft divest it's Office assets or spin them off to another company.

barring that Microsoft should be barred from releasing any new version of Office or Windows for a period of no fewer than 5 years on Intel based platforms. This would allow competitors to at least take advantage of documentation and make their products more competitive than Windows based solutions. Microsoft should also be ordered to release their Office suite and other products on at least three other operating system platforms, Apple, Linux and Unix.

Thank You  
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